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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,168	12/13/2000	Timothy Walker	AUTOB.102A	8423
20995	7590	07/07/2004	EXAMINER	
KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			WASYLCHAK, STEVEN R	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/737,168

Applicant(s)

WALKER, TIMOTHY

Examiner

Steven R. Wasylchak

Art Unit

3624



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2000.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-15 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gill (US4,736,294).

CLAIMS:

1. An electronic vehicle loan approval system comprising:
an electronic vehicle loan application, wherein the application permits entry of loan data and first vehicle data from a vehicle dealership;/col 1, L7-26; col 4, L10-18
a credit score module comprising computer-readable instructions to accept the loan data, process it in accordance with a predetermined credit score formula and provide a credit score for a consumer;/ col 2, L27-51; col 4, L40-67
a qualification module comprising computer readable instructions to electronically submit said credit score to a plurality of banks and receive a list of banks that approve the loan;/fig 2A(all); fig 39(all) Note: it is well established case law that plurality does not establish novelty unless a new use is provided; examiner finds no new use.
Gill does teaches an ordering module comprising computer -readable, instructions for

ordering the list of loans based on their value/col 1, L60 to col 25; col 2, L27-51.

However, Gill does not explicitly teach a vehicle dealership. Official notice is taken that this feature of vehicle dealership is old and well known in the consumer / retail art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature of dealerships for the advantage of having another entity that can utilize software loan applications for maximizing profit.

2. The system of Claim 1, wherein the first vehicle data comprises the make, model, year and price of the automobile./col 2, L27-35; col 4, L27-31

3. The system of Claim 1, wherein the credit score module comprises instructions for retrieving a credit report on the consumer./ col 3, L43-57; col 4, L40-67

4. The system of Claim 1, wherein the qualification -module comprises a table of rules for approving loans./ col 4, L40-67; col 7: table A; col 8: table B; fig 4(all),5(all)

5. The system of Claim 1, wherein the qualification module comprises instructions for retrieving automobile data from an automobile inventory database./fig 1A(7); fig 1B(43,46,47)

6. The system of Claim 5, wherein the automobile inventory database comprises the make, model, year and price of a plurality of automobiles./ col 2, L27-35; col 4, L27-31. Note: it is well established case law that plurality does not establish novelty unless a new use is provided; examiner finds no new use.

7. Gill teaches the qualification module comprises instructions for determining whether the consumer

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qualifies through a bank for a vehicle (fig 1A(all), 2A(all)). However, Gill does not teach multiplicity of banks or vehicles. Official notice is taken that this feature of multiplicity of banks and vehicles is old and well known in the consumer / retail art. It would have been obvious to one of ordinary skill in the art at the time

of applicant's invention to implement this feature of multiple banks and vehicles for the advantage of increasing revenue through increased interest loan income by approvals.

8. A computerized method of determining the most advantageous loan application for a vehicle dealership, comprising:

determining a credit score of an electronic vehicle loan application for a first vehicle submitted by a vehicle dealership;/ col 2, L27-51; col 4, L40-67

Gill does teaches the credit score with a predetermined bank lending criteria to determine if the loan application meets the lending requirements a bank / col 2, L27-51; col 4, L40-67. However, Gill does not teach the comparison of credit scores. Official notice is taken that this feature of comparison of credit scores is old and well known in the banking /consumer art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature of comparing scores for the advantage of increasing revenue by minimizing risk.

submitting the loan application to the one or more banks if the lending criteria has been met;/ fig 2A(all); fig 39(all)

Gill teaches receiving a denial of loan approval from the one or more banks/col 3, L55-57. However, Gill does not explicitly disclose responsive to said denial, a second vehicle is selected from an inventory of vehicles. Official notice is taken that this feature

of selecting a second vehicle is old and well known in the consumer art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature of a second vehicle for the advantage of maximizing profit by potentially approving a second loan application. Note: it is well established case law that plurality does not establish novelty unless a new use is provided; examiner finds no new use.

Gill does not explicitly teach resubmitting the loan application for the second vehicle to the one or more banks.

Official notice is taken that this feature resubmitting the loan application for the second vehicle to the one or more banks is old and well known in the consumer/banking art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature of a second vehicle for the advantage of maximizing profit by potentially approving a second loan application. Note: it is well established case law that plurality does not establish novelty unless a new use is provided; examiner finds no new use.

ordering the list of approved loans based on their revenue to the dealership./col 7, L29 to col 9, L68 (revenue is loan interest)

9. The method of Claim 8, wherein the credit score is determined by electronically transmitting the loan application to a credit agency./col 7, L13-28

10. The method of Claim 8, wherein receiving the denial of the loan application comprises receiving a reason code that explains the rationale for the denial,/col 3, L43-57; col 4, L10-34

11. The method of Claim 8, wherein the inventory comprises a database of vehicles./
fig 1A(7); fig 1B(43,46,47)

12. A system for approving a vehicle loan application, comprising:
means for determining a credit score of an electronic vehicle loan application for a first
vehicle submitted by a vehicle dealership;/
means for comparing the credit score with a predetermined bank lending criteria to
determine if the loan application meets the lending requirements of one or more banks;/
means for submitting the loan application to the one or more banks if the lending criteria
has been met;/
means for receiving a denial of loan approval from the one or more banks, wherein
responsive to said denial, a second vehicle is selected from an inventory of vehicles;/
means for resubmitting the loan application for the second vehicle to the one or more
banks; /
means for ordering the list of approved loans based on their revenue to the
dealership./ALL OF THE ABOVE REFER TO CLAIM 8

13. The system of Claim 12, wherein the credit score is determined by electronically
transmitting the loan application to a credit agency./refer to claim 9

14. The system of Claim 12, wherein the means for receiving the denial of the loan
application comprises a reason code that explains the rationale for the denial./ refer to
claim 10


15. The system of Claim 12, wherein the inventory comprises a database of
vehicles./ refer to claim 11

This action is **NON-FINAL**. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R. Wasylchak whose telephone number is (703) 308-2848. The examiner can normally be reached on Monday-Thursday from 7:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art Unit 3624 is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Steven Wasylchak



6/23/04



VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600